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| 10/593,828 | 09/22/2006 | Kazuyoshi Toriyama | DSG-723-1984 | 4629 |

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| EXAMINER | |
|---|---|
| ORR, HENRY W | |
| **ART UNIT** | **PAPER NUMBER** |
| 2175 | |

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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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| Office Action Summary | Application No. | Applicant(s) | |
|---|---|---|---|
| | 10/593,828 | TORIYAMA, KAZUYOSHI | |
| | Examiner | Art Unit | |
| | HENRY ORR | 2175 | |

*-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --*

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)☒ Responsive to communication(s) filed on *13 January 2012*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.

4)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

5)☒ Claim(s) *1-20* is/are pending in the application.

5a) Of the above claim(s) _____ is/are withdrawn from consideration.

6)☐ Claim(s) _____ is/are allowed.

7)☒ Claim(s) *1-20* is/are rejected.

8)☐ Claim(s) _____ is/are objected to.

9)☐ Claim(s) _____ are subject to restriction and/or election requirement.

**Application Papers**

10)☐ The specification is objected to by the Examiner.

11)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

12)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *2/7/2012*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

## DETAILED ACTION

1. This action is responsive to applicant's amendment dated 1/13/2012

2. Claims 1-20 are pending in the case.

3. Claim 20 is newly added.

4. Claims 1, 4 and 12-19 are independent claims.

### Applicant's Response

In Applicant's response dated 1/13/2012, applicant has amended the following:

a) Claims 1, 4 and 12-19

### *Information Disclosure Statement*

The information disclosure statement (IDS) submitted on 2/7/2012 is in compliance with the provisions of 37 CFR 1.97. Accordingly, the examiner is considering the information disclosure statement.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

**Claims 1-8 and 10-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Gelsinger et al. (hereinafter "Gelsinger"), U.S. Patent No. 5,892,511 in view of UltraMon Smart Taskbar, (hereinafter "UltraMon"), NPL, August 3, 2003 of record.**

Claim 1:

Gelsinger teaches **an information processing apparatus, comprising: a memory for storing data** (see col. 11 lines 60-65; memory and storage devices) **to display a plurality of windows** (see col. 5 lines 44-52; overlapping windows) **and data to display a plurality of selection areas which respectively correspond to said plurality of windows,** (see col. 5 lines 16-20; selectable icons or names in a typical taskbar are interpreted to be examples of the recited "selection areas") a display for including a first display area on which only a predetermined window out of the plurality of windows is displayed or the plurality of windows are displayed in an overlapping manner (see col. 5 lines 44-52; overlapping windows) and a second display area on which said plurality of selection areas are displayed, and a processor coupled to the memory, the memory storing instructions that, when executed by the processor, control the processor to: (see col. 5 lines 16-20; selectable icons or names in a typical taskbar (i.e., second display area) are interpreted to be the recited "selection areas")

Gelsinger teaches **a display screen including a first display area on which only a predetermined window out of the plurality of windows is displayed or the plurality of windows are displayed in an overlapping manner** (see col. 5 lines 44-52; overlapping windows**) and a second display area on which said plurality of**

**selection areas are displayed** (see col. 5 lines 16-20; selectable icons or names in a typical taskbar are displayed in a second display area)

Gelsinger fails to expressly teach detecting an input to display positions of said plurality of selection areas;

However, UltraMon teaches right-clicking a task button to display positions of a plurality of selection areas (see pages 1 and 2). **(claim 1; i.e., a processor coupled to the memory, the memory storing instructions that, when executed by the processor, control the processor to: detect an input to display positions of said plurality of selection areas)**

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the taskbar bar as taught by Gelsinger to include a custom window menu command to provide positions of a plurality of selection areas as taught by UltraMon to provide the benefit of quickly moving a task window to a different monitor.

Gelsinger teaches **display, when it is determined that a first predetermined input is performed within a selection area corresponding to a window displayed on said first display area or a window displayed on a forefront by said detector, a window corresponding to the selection area that said detector detects as the first predetermined input on said second display area**(see Gelsinger; col. 5 lines 16-20, col. 7 lines 1-7; selecting (i.e., first input) the icon (i.e., selection area) in a typical taskbar (i.e., display area underlying taskbar) to display a overlapped window in the

forefront as the active window).

Claim 2:

Gelsinger teaches **wherein the processor is further controlled to display, when it is determined that a first predetermined input is performed within a selection area corresponding to a window which is not displayed on said first display area and said second display area or a window a part of which is hidden under the window displayed on the forefront on said first display area, the window corresponding to the selection area on said first display area or on the forefront on said first display area** (see col. 5 lines 16-20, col. 7 lines 1-7; selecting (i.e., first input) the icon (i.e., selection area) in a typical taskbar (i.e., display area underlying taskbar) to display a overlapped window in the forefront as the active window on the desktop (i.e., first display area).

Claim 3:

Gelsinger teaches **wherein the processor is further controlled to display, when it is determined that a second predetermined input is performed within a selection area corresponding to a window which is not displayed on said first display area and said second display area or a window a part of which is hidden under the window displayed on the forefront on said first display area, the window corresponding to the selection area on said second display area** (see col. 5 lines 16-20, col. 7 lines 1-7; selecting (i.e., second input) the icon (i.e., selection area)

in a typical taskbar (i.e., display area underlying taskbar) to display a overlapped window in the forefront as the active window on the desktop (i.e., first display area).

Claim 4:

Gelsinger teaches **a memory for storing data** (see col. 11 lines 60-65; memory and storage devices) **to display a plurality of windows** (see col. 5 lines 44-52; overlapping windows) **and data to display a plurality of selection areas which respectively correspond to said plurality of windows,** (see col. 5 lines 16-20; selectable icons or names in a typical taskbar are interpreted to be the recited “selection areas”)

Gelsinger teaches **a display screen including a first display area on which only a predetermined window out of the plurality of windows is displayed or the plurality of windows are displayed in an overlapping manner** (see col. 5 lines 44-52; overlapping windows**) and a second display area on which said plurality of selection areas are displayed** (see col. 5 lines 16-20; selectable icons or names in a typical taskbar are displayed in a second display area)

Gelsinger fails to expressly teach detecting an input to display positions of said plurality of selection areas;

However, UltraMon teaches right-clicking a task button to display positions of a plurality of selection areas (see pages 1 and 2). **(claim 4; i.e., a processor coupled to**

**the memory, the memory storing instructions that, when executed by the processor, control the processor to: detect an input to display positions of said plurality of selection areas)**

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the taskbar bar as taught by Gelsinger to include a custom window menu command to provide positions of a plurality of selection areas as taught by UltraMon to provide the benefit of quickly moving a task window to a different monitor.

Gelsinger teaches **display, when it is determined that a second predetermined input is performed at a display position of a selection area corresponding to a window which is not displayed on said first display area and said second display area or a window a part of which is hidden under a forefront window out the plurality of windows displayed in the overlapping manners on said first display area, a window corresponding to the selection area that is detected as a first predetermined input on said second display area** (see Gelsinger; col. 5 lines 16-20, col. 7 lines 1-7; selecting (i.e., second input) the icon (i.e., selection area) in a typical taskbar (i.e., display area underlying taskbar) to display a overlapped window in the forefront as the active window on the desktop (i.e., first display area).

Claim 5:

Gelsinger teaches **wherein the processor is further controlled to display, when it is determined that the first predetermined input is performed within a selection area corresponding to a window displayed on said first display area or the window displayed on the forefront, the window corresponding to the selection area on said second display area** (see col. 5 lines 16-20, col. 7 lines 1-7; selecting (i.e., first input) the icon (i.e., selection area) in a typical taskbar (i.e., display area underlying taskbar) to display a overlapped window in the forefront as the active window on the desktop (i.e., first display area).

Claim 6:

As noted above, Gelsinger in view of UltraMon teaches **wherein the processor is further controlled to: detect an input to an arbitrary position of said second display area, set, when a window is displayed on said second display area, the window to an inputable state.**

Claim 7:

Gelsinger teaches **wherein the processor is further controlled to display, when it is determined that a predetermined input is performed within a selection area corresponding to the window displayed on said second display area, the window corresponding to the selection area of the forefront on said first display area** (see col. 5 lines 16-20, col. 7 lines 1-7; selecting (i.e., input) the icon (i.e., selection area) in a typical taskbar (i.e., display area underlying taskbar) to display a overlapped

window in the forefront as the active window on the desktop (i.e., first display area).Examiner further notes that this claim is not required to occur based on the alternative language of base claim 1.

Claim 8:

As noted above, Gelsinger in view of UltraMon teaches **wherein the processor is further controlled to display, in a case that said window is displayed on said second display area and when it is determined that other window is being displayed on said second display area, the other window on the forefront on said first display area**. Examiner further notes that this claim is not required to occur based on the alternative language of base claim 1.

Claim 10:

Gelsinger teaches displaying a taskbar (i.e., a basic input window) **(claim 10; i.e., wherein said memory stores data to display a basic input window to be displayed on said second display area, and the processor is further controlled to display said basic input window on said second display area when no window to be displayed on said second display area is present).**

Claim 11:

As noted above, Gelsinger in view of UltraMon teaches **wherein the processor is further controlled, when a predetermined coordinates input is performed to said window displayed on said second display area, generate data to display a new window and data to display a new selection area, and store the generated data in said memory by bringing the data to display a new window and the data to display a new selection area into correspondence with each other, and the processor is further controlled to display said generated selection area generated by said on said second display area** (see UltraMon pages 1 and 2; right-clicking on a screen in a double monitor environment).

Claim 12:

Claim 12 is substantially encompassed in claim 1; therefore the claim 12 is rejected under the same rationale as claim 1 above.

Claim 13:

Claim 13 is substantially encompassed in claim 1; therefore the claim 13 is rejected under the same rationale as claim 1 above.

Claim 14:

Claim 14 is substantially encompassed in claim 1; therefore the claim 14 is rejected under the same rationale as claim 1 above.

Claim 15:

Claim 14 is substantially encompassed in claim 4; therefore the claim 14 is rejected under the same rationale as claim 4 above.

Claim 16:

Claim 16 is substantially encompassed in claim 4; therefore the claim 16 is rejected under the same rationale as claim 4 above.

Claim 17:

Claim 17 is substantially encompassed in claim 1; therefore the claim 17 is rejected under the same rationale as claim 1 above.

Claim 18:

Claim 18 is substantially encompassed in claim 1; therefore the claim 18 is rejected under the same rationale as claim 1 above.

Claim 19:

Claim 19 is substantially encompassed in claim 1; therefore the claim 19 is rejected under the same rationale as claim 1 above.

Claim 20:

Gelsinger fails to expressly teach that second display area is a second display separate from the first display screen.

However, UltraMon teaches a double monitor environment for moving task windows (see pages 1 and 2).

It would have obvious to one of ordinary skill in the art at the time the invention was made to modify the taskbar as taught by Gelsinger to include the smart taskbar for multiple monitors as taught by UltraMon to provide the benefit of quickly switching tasks to any monitor. **(claim 20; i.e., wherein the first display area is displayed on a first display screen and the second display area is displayed on a second display separate from the first display screen.)**

**Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Gelsinger in view of UltraMon as cited above, in further view of Shields et al. (hereinafter "Shields"), U.S. Patent No. 5,910,802 A of record.**

Claim 9:

Both Gelsinger and UltraMon fail to expressly teach a touch panel.

However, Shields teaches a touch sensitive border and a viewing area (see abstract, Figure 4). **(claim 9; i.e., wherein the processor is further controlled to detect said first predetermined input on the basis of the input data from a touch**

**panel which is not set on said first display area but set is on said second display area )**

It would have be obvious to one of ordinary skill in the art at the time the invention was made to modify the taskbar as taught by Gelsinger in view of UltraMon to accept input via touch sensitive border as taught by Shields to provide the benefit of providing another way of auto hiding the taskbar to take advantage of limited screen space (see Shields; col. 1 line 35).

## ***Response to Arguments***

Applicant's arguments filed 1/13/2012 have been fully considered but they are not persuasive.

**Prior Art Rejections**

In respect to claim 1, Applicant argues that applied art fail to teach or suggest "display, when it is determined that a first predetermined input is performed within a selection area corresponding to a window displayed on said first display area or a forefront window out of the plurality of windows displayed in the overlapping manner on said first display area, a window corresponding to the selection area detected as the first predetermined input on said second display area".

Examiner respectfully disagrees.

Firstly, Examiner notes that the all features of the limitation are not necessitated by the claim. For example, display a window corresponding to the selection area detected as the first predetermined input on said second display area, when it is determined that a first predetermined input is performed within a selection area corresponding to a window displayed on said first display area **or** a forefront window out of the plurality of windows displayed in the overlapping manner on said first display area (emphasis added).

Secondly, Examiner notes that a first display area or a second display area may be reasonably considered by one of ordinary skill to be any area or portion of a display screen. For example, a first and second display area may be the top and bottom half of a display screen, respectively. As another example, a first and second display area may be two contiguous or non-contiguous areas that are occupied by interface elements (e.g., taskbar or window elements).

Lastly, for a third example, a first and second display area may be considered as a first and second display screen, respectively. Therefore, the scope of first and second display area is broad enough to encompass all three examples described. Examiner submits that Gelsinger teaches the first and second examples and Gelsinger in view of UltraMon renders obvious the third example as will be explained below.

Gelsinger teaches displaying a window at the forefront of overlapping windows by designating a selection area of a taskbar (see abstract, Figures 4 and 8). Examiner submits that the display area for the windows and the taskbar may be interpreted as the recited first and second display area. Applicant argues that even if the taskbar in the

second display area is selected, a window being displayed in the first display area and corresponding to the taskbar is not displayed in the second display area. Examiner notes that claim 1 **does not recite a window** being displayed in a second display area (emphasis added). Examiner submits that claim 1 recites “a second display area on which said plurality of selection areas are displayed". Claim 1 also recites “display a window corresponding to the selection area detected as the first predetermined input on said second display area”. Examiner submits that neither limitation expressly recite a window being displayed in second display area. In other words, a plurality of selection areas are displayed in the second display area not a window. For the sake of argument, even if a second display area were properly claimed to display both selection areas and a window, Examiner submits that Gelsinger in view of UltraMon teaches such a feature. In combining the references, Examiner submits that a smart taskbar in a dual monitor environment (i.e., first and second display area) teaches displaying both a plurality of selection areas and a window in a second display area. For example, the monitor shown on page 2 of UltraMon may display the plurality of selection areas by right clicking a task and may also display a window. Examiner submits UltraMon teaches that a window or a plurality of selection areas may be displayed on any monitor (i.e., first and second display area). Therefore, Gelsinger in view of UltraMon teaches a taskbar in the second display area being selected, and a window being displayed in the first display area and corresponding to the taskbar also being displayed in the second display area (see UltraMon page 2; sending a window to a different monitor).

Applicant argues that UltraMon does not teach that when the selection area (i.e., taskbar) in the second display area (i.e., the second monitor), is designated, the window in the first display area (i.e., the main monitor) is displayed in the second display area (i.e., the second monitor).

As noted above, claim 1 does not recite a window being displayed in the second display area. Therefore, claim 1 clearly does not recite when the selection area in the second display area, is designated, the window in the first display area is displayed in the second display area. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

For at least the foregoing reasons, Examiner maintains prior art rejections.

## ***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to HENRY ORR whose telephone number is (571)270-1308. The examiner can normally be reached on 9am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Bashore can be reached on (571) 272-4088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

3/13/2012

/Henry Orr/

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